

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: July 17, 2007
POSITION: Oppose

BILL NUMBER: SB 123
AUTHOR: G. Romero
RELATED BILLS: AB 1379

BILL SUMMARY: High School Exit Examination

This bill would allow students with disabilities to meet the requirements of passing the California High School Exit Exam (CAHSEE) by: (1) passing one or both parts of the exam with modifications or (2) completing tasks specified and reviewed by five-member juries based on individualized education plans (IEP).

FISCAL SUMMARY

This bill could create a reimbursable state-mandated local program in the millions of dollars Proposition 98 General Fund. Based on estimates from the State Department of Education (SDE), providing juries to assign and review tasks for all eligible students with disabilities who do not pass the CAHSEE in grade ten and eleven could potentially cost \$15.2 million Proposition 98 General Fund. School districts and state special schools would be required to establish juries and alternative processes for students with disabilities to pass the CAHSEE.

COMMENTS

Finance is opposed to this bill for the following reasons:

- The bill could create a reimbursable state mandate that could create costs in the millions of dollars, which are not included in the Budget.
- The bill would weaken the significance of a high school diploma. Current law requires that all students pass the CAHSEE to ensure that a high school diploma signifies a minimum level of mathematics and English language arts knowledge. In turn, a diploma indicates to future employers or educational institutions that students have met basic achievement levels.
- The bill does not ensure that students make a good faith effort to pass the CAHSEE under regular conditions. The bill would allow students to pursue a CAHSEE alternative after failing one or both sections of the exam in grades ten and eleven. Existing law requires that in order for students with disabilities to be eligible for an exemption from passing the CAHSEE they must attempt to pass at least twice after grade ten, including once in grade twelve, and receive remedial or supplemental instruction focused on the sections of the CAHSEE not yet passed.
- The bill contains no assurances that there will be consistent processes for juries to specify and review tasks for students with disabilities. As a result, requirements for students with disabilities under the jury process may differ considerably across the state.
- The bill is premature. On May 10, 2007, the State Board of Education (SBE) recommended requiring students with disabilities to meet the CAHSEE requirement, with the exception that students with disabilities who pass with a modification can subsequently request a waiver of the requirement. This recommendation is before the Legislature for consideration as required by

Analyst/Principal (0363) R. Storm	Date	Program Budget Manager Jeannie Oropeza	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
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G. Romero

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SB 123

Chapter 629 of the Statutes of 2006. Until this recommendation is considered by the Legislature, it is premature to pursue the changes proposed in the bill.

- Contrary to the argument that the CAHSEE is punitive to students with disabilities, graduation rates for students with disabilities have increased since passing the CAHSEE became a requirement for graduation. By the end of grade eleven, 56 percent of Class of 2007 students with disabilities had passed the English language arts portion test compared to 54 percent of Class of 2006 students. Similarly, for the mathematics portion, 54 percent of Class of 2007 students with disabilities passed compared to 51 percent of Class of 2006 students. These increases show that students with disabilities are working to pass the CAHSEE and are capable of passing the CAHSEE. These numbers do not include students with disabilities who received: (1) a passing score with a modification and (2) a waiver of the CAHSEE requirement.

Beginning with the Class of 2006, passage of both the English language arts and mathematics portions of the CAHSEE became a statewide graduation requirement. Class of 2006 and 2007 students with disabilities may receive a diploma by receiving a passing CAHSEE score with the use of modifications during the exam and by applying for an exemption from the requirement. A modification is a change to the exam that alters what the exam measures, such as orally testing students on a section designed to test reading ability. The SBE is required to evaluate the policy for students with disabilities and make a recommendation to the Legislature. On May 10, 2007, the SBE recommended that all students, including those with disabilities, be required to meet the CAHSEE requirement. The SBE did not recommend continuing the option of an exemption, but recommended to continue allowing students with disabilities to meet the CAHSEE requirement through the waiver process. This recommendation is to be considered by the Legislature.

Students with disabilities who are unable to receive a high school diploma as a result of not passing the CAHSEE may receive a certificate or document of educational achievement or completion. These students may continue their education in high schools, adult schools, or community colleges. School districts are required to provide an appropriate education to students with disabilities until age 22 with the goal that these students meet all graduation requirements, attain functional life skills, or are prepared for a vocation. A high school diploma is not required for admission to an adult school or community college.

This bill would allow students with operative IEP or a federal Section 504 plans to pass one or both portions of the CAHSEE by: (1) completing plan tasks specified and reviewed by a jury, or (2) receiving a passing score on the exam with modifications. School districts and state special schools would establish a process for the jury review. Specifically, the jury would consist of a special education teacher, a high school principal, a parent of a special education student, a school psychologist, and a school counselor. Students may appeal jury decisions to the SBE.

A related bill, Assembly Bill 1379, would require the Superintendent of Public Instruction (SPI) to identify criteria and measures through which a student may demonstrate proficiency and receive a high school diploma other than through the CAHSEE. These measures would include academic records, alternative tests, and portfolios of completed work or projects.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)							
	LA	(Dollars in Thousands)							
	CO RV	PROP 98	FC	2007-2008	FC	2008-2009	FC	2009-2010	Fund Code
6110/Dept of Educ	LA	Yes	C	\$7,600	C	\$15,200	C	\$15,200	0001

